

Wetlands Bureau Decision Report

Decisions Taken
05/03/2010 to 05/09/2010

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2009-01272

CHESTER HILL LLC

AUBURN Unnamed Wetland

Requested Action:

Dredge and fill a total of 27,590 sq. ft. of palustrine forested /scrub-shrub wetlands to construct a roadway with seven (7) culvert crossings and associated drainage structures to access a 31-lot open space residential subdivision on a 198 acre parcel of land of which 140.27 acres is to be preserved, in perpetuity, as undeveloped open space by way of a conservation easement to be held by the Rockingham County Conservation District.

Conservation Commission/Staff Comments:

The Auburn Conservation Commission expressed some concerns during the early review of this project which have been abated with the 140 acre conservation easement and wetland buffers providing separation from construction activities and the planned residential subdivision.

APPROVE PERMIT:

Dredge and fill a total of 27,590 sq. ft. of palustrine forested /scrub-shrub wetlands to construct a roadway with seven (7) culvert crossings and associated drainage structures to access a 31-lot open space residential subdivision on a 198 acre parcel of land of which 140.27 acres is to be preserved, in perpetuity, as undeveloped open space by way of a conservation easement to be held by the Rockingham County Conservation District.

With Conditions:

1. All work shall be in accordance with plans by Sublime Civil Consultants, Inc. dated October 22, 2008 (last revised 04-09-10) and, as received by DES on June 17, 2009 and April 26, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. NH DES Wetlands Bureau Southeast Region staff and the Auburn Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
6. Record approved plan with conservation easement for each appropriate lot within 30 days from receipt of this decision and submit a certified receipt from the Rockingham County Registry of Deeds to the DES Wetlands Bureau.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be properly rip rapped.
13. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The Auburn Conservation Commission expressed some concerns during the early review of this project which have been abated with the 140 acre conservation easement and wetland buffers providing separation from construction activities and the planned residential subdivision.

2010-00047 SALEM DPW, TOWN OF
SALEM Unnamed Wetland Prime Wetlands, Spicket River, Policy Brook

Requested Action:

Impact a total of 27,200 sq. ft. in palustrine forested/scrub-shrub/emergent wetlands, including intermittent and perennial stream crossings, for work associated with a town-wide roadway culvert cleaning and maintenance program involving 23 locations.

Conservation Commission/Staff Comments:

"The Salem Conservation Commission ... has voted to recommend approval of the application and plans as submitted."

APPROVE PERMIT:

Impact a total of 27,200 sq. ft. in palustrine forested/scrub-shrub/emergent wetlands, including intermittent and perennial stream crossings, for work associated with a town-wide roadway culvert cleaning and maintenance program involving 23 locations.

With Conditions:

1. All work shall be in accordance with plans by Stantec Consulting Services, Inc. dated September, 2009 (last revised 01-28-10), as received by DES on January 07, 2010 & March 09, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
6. Work shall be done during low flow.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to prime wetlands designated under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. Effective September 11, 2009, RSA 482-A:11 IV(a) was amended to require a public hearing only if deemed necessary by the Department per RSA 482-A:8.
6. The DES has determined that a prime wetlands public hearing on this application is not necessary based on findings 1 through 5

above.

7. Based on findings 1 through 4 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

MINOR IMPACT PROJECT

2006-01982 FULTON, KEITH R & DELLA V
LEMPSTER Tributary To Dodge Pond

Requested Action:

Approve name change to: Keith R. & Della V. Fulton, PO Box 369, Lempster, NH 03605 per request received 5/6/10.

Previous owner: G & K Design LLC

APPROVE NAME CHANGE:

Dredge and fill 6,048 square feet of palustrine forested wetlands, including 1,938 square feet of impact associated with an intermittent stream for road and driveway access to a 41-lot subdivision on \pm 133 acres, further described as follows:

Wetland impact #1) dredge and fill 305 square feet of palustrine forested wetlands to install a 4-foot x 3-foot x 20-foot embedded box culvert for driveway access;

Wetland impact #2) dredge and fill 1,717 square feet of palustrine forested wetlands to install a 6-foot x 4-foot x 41-foot embedded box culvert for road access;

Wetland impact #3) dredge and fill 1,509 square feet of palustrine forested wetlands associated with 50 linear feet of intermittent stream impact to install a 6-foot x 4-foot x 50-foot embedded box culvert for road access;

Wetland impacts #4&5) dredge and fill 22 square feet of palustrine forested wetlands to install an 18-inch x 18-foot CPP for driveway access;

Wetland impact #6) dredge and fill 526 square feet of palustrine forested wetlands to install a 6-foot x 4-foot x 18-foot embedded box culvert for driveway access;

Wetland impact #7) dredge and fill 969 square feet of palustrine forested wetlands associated with 54 linear feet of intermittent stream impact to install a 6-foot x 4-foot x 54-foot embedded box culvert for road access;

Wetland impact #8) dredge and fill 432 square feet of palustrine forested wetlands to install a 6-foot x 4-foot x 45-foot embedded box culvert for road access; and

Wetland impact #9) dredge and fill 1,109 square feet of palustrine forested wetlands to install a 30-inch x 45-foot HDPE culvert for road access.

With Conditions:

1. All work shall be in accordance with plans by True Engineering dated June 05, 2006, and revised through October 27, 2006, December 08, 2006, February 26, 2007 (excluding sheet 24), and April 21, 2007, as received by the DES Wetlands Bureau on April 30, 2007.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. This permit is contingent on approval by the DES Alteration of Terrain Program.

8. Work shall be done during annual low flow conditions.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
14. Proper headwalls shall be constructed within seven (7) days of culvert installation.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. Native material removed from the streambed during culvert installation, shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert. Any new materials used must be similar to the natural stream substrate and shall not include angular riprap.
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
20. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
21. Post-construction photographs documenting the status of the completed construction at wetland and stream crossings shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

2008-00191 PAUL, ALLAN & LORRAINE
CENTER HARBOR Squam Lake

Requested Action:

Amend existing permit to include a 3 ft x 6 ft wide connecting walkway to access the existing 6 ft x 40 ft piling supported dock on 302 ft of frontage in Center Harbor on Squam Lake.

APPROVE AMENDMENT:

Amend permit to read: Dredge 18 cu yd from 338 sq ft of lakebed and excavate 1224 sq ft of bank along 34 linear ft of shoreline to construct a 28 ft x 32 ft, 2-slip dug-in boathouse and construct a 6 ft x 40 ft piling supported dock accessed by a 6 ft wide x 3 ft long connecting walkway constructed over land on 302 ft of frontage in Center Harbor on Squam Lake.

With Conditions:

1. All work shall be in accordance with revised plans by Folsom Design Group dated February 22, 2008, as received by DES on February 26, 2008, and plan amendment for a dock connecting walkway by Folsom Design Group dated March 25, 2010, as received by DES on March 29, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau.
3. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new

application and further permitting by the Bureau.

5. The boathouse shall be a single-story structure; ridgeline not to exceed 20 ft in height (Elev. 582.5) above normal high water (Elev. 562.5).
6. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
7. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
12. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
13. This approval shall not allow the construction of any boathouse if, in the event that a new primary structure is constructed on the property prior to the construction of the proposed boathouse, the dredge associated with the construction of the boathouse would result in the distance from the primary structure to the surface water within the boathouse being less than 50 ft as required per RSA 483-B:9 II.
14. No new primary structure shall be constructed on the property within 50 ft of the reference line which is defined as Elevation 562.5. Construction of the dredged inlet for the boathouse will result in the relocation of the reference line.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
16. No more than 18 cubic yards shall be dredged lakeward of the pre-existing normal high water mark.
17. At no point shall the piling supported dock extend more than 40 ft from the reference line elevation 562.5.
18. This permit amendment does not authorize any subsequent dredging of the lakebed that has already been conducted under the original permit.
19. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d) construction of a permanent docking facility providing 4 slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 302 feet of shoreline frontage along Squam Lake.
6. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
7. The proposed docking facilities will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

2009-02191 KAZATI, MOWLOT
ALSTEAD Warren Brook

Requested Action:

Restore ± 200 sq. ft. of Warren Brook bank following removal of a rock access ramp utilized for access to Warren Brook and Chase Mill for channel reshaping and foundation repairs completed under an Emergency Authorization issued September 24, 2009.

APPROVE PERMIT:

Restore \pm 200 sq. ft. of Warren Brook bank following removal of a rock access ramp utilized for access to Warren Brook and Chase Mill for channel reshaping and foundation repairs completed under an Emergency Authorization issued September 24, 2009.

With Conditions:

1. This permit is contingent upon the restoration of \pm 200 sq. ft. of Warren Brook bank following removal of the rock access ramp. Bank restoration shall be completed in accordance with narrative and plans provided by Headwater Hydrology, PLLC, received February 12, 2010.
2. The schedule for construction of the restoration area shall occur within 30 days of the completion of the proposed NHDOT work planned for summer 2011.
3. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the bank restoration is constructed in accordance with the plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
4. All work shall be done from the top of the bank.
5. Bank stabilization shall not be done to extend land into the stream channel.
6. There shall be no excavation or operation of construction equipment in flowing water.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Appropriate erosion and siltation controls shall be installed prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
11. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
12. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
14. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
15. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
16. Temporary cofferdams shall be entirely removed immediately following construction.
17. Excavated material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Only native plant species shall be utilized to renegotiate the riverbank.
20. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications.
21. Mulch used within the wetland restoration areas shall be natural straw or equivalent.
22. Riverbank stabilization areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
23. A post-construction report documenting the status of the restored Warren Brook bank area, including photographs during and post construction shall be submitted to the Wetlands DES within sixty (60) days of the completion of restoration.
24. The permittee or a designee shall conduct a follow-up inspection after the first full growing season, to review the success of the project and schedule remedial actions if necessary. A report outlining the project status including photographs and any follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), Projects that alter the course of or disturb less than 200 linear feet of a perennial nontidal stream channel or its banks.
2. An emergency authorization to reconstruct the Chase Mill building foundation and reshape the Warren Brook channel and thalweg was issued on September 24, 2009.
3. The project was necessary to prevent damage to the historic Chase Mill.
4. A rock access ramp was constructed on the bank of Warren Brook for access to the proposed repairs.
5. Review of the application submitted pursuant to the emergency authorization indicates that work has been completed in accordance with the emergency authorization, with exception to the removal of the temporary rock access ramp constructed on the bank of Warren Brook.
6. Repairs completed under the emergency authorization impact 1,160 sq. ft. (108 lin. ft. of Warren Brook).
7. NHDOT plans to utilize the rock access ramp for construction planned at Route 123 during the summer 2011.
8. This permit is contingent upon the restoration of ± 200 sq. ft. of Warren Brook bank following removal of the rock access ramp
9. The schedule for construction of the restoration area shall occur within 30 days of the completion of the proposed NHDOT work planned for summer 2011.
10. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
11. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
12. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2009-02508

NEWBURY, TOWN OF

NEWBURY Andrew Brook

Requested Action:

Dredge and fill $\pm 4,622$ sq. ft. and temporarily impact $\pm 8,905$ sq. ft. of Andrews Brook and associated palustrine forested and emergent wetlands for replacement of the Sutton Rd. 38-ft. single span bridge (21-ft. length) with a 48-ft. single span bridge (24-ft. length) and associated road upgrades. Temporary detour bridge construction is proposed.

Conservation Commission/Staff Comments:

APPROVE PERMIT:

Dredge and fill $\pm 4,622$ sq. ft. and temporarily impact $\pm 8,905$ sq. ft. of Andrews Brook and associated palustrine forested and emergent wetlands for replacement of the Sutton Rd. 38-ft. single span bridge (21-ft. length) with a 48-ft. single span bridge (24-ft. length) and associated road upgrades. Temporary detour bridge construction is proposed.

With Conditions:

1. All work shall be in accordance with plans by Dubois & King, Inc. dated February 2010, as received by the DES on March 04, 2010; and plans dated February 2010, as received by DES on April 20, 2010.
2. The Town shall obtain the appropriate permanent and temporary construction easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2009-02508 prior to construction.
3. This permit is contingent on approval by the DES Shoreland Program.
4. Work shall be done during low flow conditions.
5. This permit is contingent upon the restoration in accordance with plans received March 04, 2010, and April 20, 2010, to the satisfaction of the DES Wetlands Bureau.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no

turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.

9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

10. There shall be no excavation or operation of construction equipment in flowing water.

11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.

12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.

13. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.

14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.

15. Temporary cofferdams shall be entirely removed immediately following construction.

16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.

18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

20. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.

21. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

22. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration areas are constructed in accordance with the restoration plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.

23. Restoration areas shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

24. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration areas and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second year following the completion of each restoration area.

25. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.

26. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of perennial stream.

2. The 50-year storm overtops the existing span. The proposed span will pass both the 50-year and 100-year storms without overtopping the roadway.

3. The proposal includes repositioning the bridge 10-ft. to the east, widening the stream channel and creating a new eastern bank. The western bank will be maintained. Riprap protection will be installed at the bridge abutments, wingwalls and walls. Additional riprap scour protection will be installed along \pm 140 linear feet of the western bank, the majority of this riprap will be below the ordinary-high-water-level.

4. Bridge repositioning is proposed to deter further bank erosion and will reconstruct the bridge approach to benefit sediment and ice transport.

5. A temporary detour bridge is proposed south of the existing structure.

6. No comments of concern were submitted from federal agencies or the Natural Heritage Bureau (NHB).

7. In email correspondence dated March 12, 2010, NHFG confirmed their concerns had been addressed.
8. This permit is conditioned that the Town shall obtain the appropriate permanent and temporary construction easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2009-02508 prior to construction.
9. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
10. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
11. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2009-02712 BOSSEY, DONALD & FRANCES
LACONIA Unnamed Wetland

Requested Action:

Proposal to impact 9900 sq. ft. of wetlands for construction of utility crossings for water and sewer and maintenance access for a proposed 22-lot residential subdivision.

APPROVE PERMIT:

Dredge and fill 9895 sq. ft. (includes 3395 sq. ft. of temporary impacts) of wetlands for construction of utility crossings for water and sewer and maintenance access for a proposed 22-lot residential subdivision.

With Conditions:

1. All work shall be in accordance with plans by Paul M. Darbyshire Associates, et al., dated March 15, 2005, as received by DES on November 12, 2009 and as revised with plans by Blakeman Engineering, Inc., dated April 9, 2010, as received by DES on April 9, 2010.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
8. Work shall be done during low flow.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Topsoil in temporary wetlands impact areas shall be stripped and segregated from subsoil during construction. Wetland topsoils shall be stockpiled separately from subsoils and shall be restored following backfill.
15. A post-construction report prepared by a NH Certified Wetland Scientist documenting status of wetlands restoration shall be submitted to the Wetlands Bureau within 60 days of installation of the utility lines or impacts associated with installation and after one full growing season.
16. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after one (1) growing season, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
17. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be

stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

18. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

19. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

20. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

21. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

22. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

23. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

24. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

25. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

26. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. DES has received comments from the United States Environmental Protection Agency ("EPA") and subsequent comments from the United States Army Corps of Engineers ("ACOE") indicating the project is ineligible for the New Hampshire State Programmatic General Permit ("SPGP") due to the lack of a vernal pool study.

6. The applicant has addressed the EPA's comments.

7. The EPA has indicated the project is now eligible for approval under the SPGP.

2009-02791 LOCKE, JAMES
BELMONT Tioga River

Requested Action:

Proposal to dredge and fill approximately 777 sq. ft. of Bean Pond (bank/dam) for breaching the existing dam to address safety concerns.

APPROVE PERMIT:

Dredge and fill approximately 777 sq. ft. of Bean Pond (bank/dam) for breaching the existing dam and associated work to address safety concerns.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Services, LLC dated April 8, 2010, as received by DES on April 9, 2010.

2. This permit is contingent on approval by the DES Dam Safety Program.

3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream/flow diversion/erosion control plans. Those plans shall detail the timing and method of stream/flow diversion during construction, and show temporary

siltation/erosion/turbidity control measures to be implemented.

4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Work shall be done during low flow.
13. A post-construction report documenting the status of the project shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The breach is needed to address safety concerns due to the disrepair of the existing dam.
6. The applicant has designed the new spillway to help provide a more natural connection between the stream and remaining pond.

2009-03025 KMITO, LOUIS & MARTHA
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Remove an existing h-shape seasonal docking providing 3 slips, construct two 4 ft x 4 ft concrete pads, and install two 5 ft 11.5 in x 40 ft seasonal piers connected by a 4 ft x 10 ft walkway in a 3 slip, U configuration with a seasonal boatlift in the north slip on an average of 100 ft of frontage on Long Island, Lake Winnepesaukee, in Moultonborough.

DENY PERMIT:

Remove an existing h-shape seasonal docking providing 3 slips, construct two 4 ft x 4 ft concrete pads, and install two 5 ft 11.5 in x 40 ft seasonal piers connected by a 4 ft x 10 ft walkway in a 3 slip, U configuration with a seasonal boatlift in the north slip on an average of 100 ft of frontage on Long Island, Lake Winnepesaukee, in Moultonborough.

With Findings:
Standards for Approval

1. Pursuant to Rule Env-Wt 402.13, Frontage Over 75', "To lessen congestion, improve public safety and navigation, protect neighboring property values, provide sufficient area for construction of facilities, provide adequate area for boat maneuvering, and protect health, safety, and general welfare, there shall be a minimum of 75' of shoreline frontage on the property for the first 2-slip structure and an additional 75' of shoreline frontage on the property for each additional boating slip or securing location on a structure for non-commercial use."
2. Pursuant to Rule Env-Wt 402.21, Modification of Existing Structures, "The Department shall not approve any change in size, location, or configuration of an existing structure unless the applicant demonstrates, and the department finds, that the modification is less environmentally-impacting or provides for fewer boat slips and less construction surface area over public submerged lands than the current configuration."
3. Pursuant to Rule Env-Wt 204.02, Procedures, each request for a waiver filed in accordance with this part by a person who is or would be directly and adversely affected by the strict application of a rule in Env-Wt 100 through Env-Wt 800 shall be filed in writing and shall include the information specified in Env-Ws 204.03.
4. Pursuant to Rule Env-Wt 204.03, Content and Format of Requests, (a) The person requesting the waiver shall provide the following information: (1) The name, mailing address, and daytime telephone number of the property owner; (2) The name, mailing address, and daytime telephone number of the applicant, if other than the owner; (3) The location of the property to which the waiver request relates, if other than the mailing address of the property owner or applicant; (4) Whether the request is for a waiver under RSA 482-A:26, III(b) or to a rule, and if to a rule the number(s) of the specific section(s) of the wetland rules for which a waiver is sought; (5) A full explanation of why a waiver is being requested, including: a. For a waiver to a rule, an explanation of the hardship that would be caused by compliance with the rule; or b. For a waiver under RSA 482-A:26, III(b), a full explanation of how the statutory criteria of RSA 482-A:26, III(b) will be met; (6) If applicable, a full explanation of the alternate that is proposed to be substituted for the requirement in the rule, including written documentation or data, or both, to support the alternative; and (7) A full explanation of why the applicant believes that having the waiver granted will meet the criteria in Env-Wt 204.04.

Findings of Fact

1. On December 21, 2009, the Department received an application for the replacement of a seasonal 3-slip, h-shaped docking facility with a new seasonal 3-slip, U-shaped docking facility on property identified as Moultonborough tax map 263, lot 77 (the Property).
2. The Property has an average of 100 ft of frontage along Lake Winnepesaukee. In accordance with Rule Env-Wt 402.13, a maximum of 2 boat slips may be permitted on this frontage.
3. The existing docking facility provides 3 slips and fails to conform to the requirements of Rule Env-Wt 402.13. Any modification of this nonconforming structure must meet the requirements of Rule Env-Wt 402.21.
4. On February 17, 2010, the Department issued a More Information Request Letter to the Applicant explaining that the proposal to modify the docking facility must address Rule Env-Wt 402.21.
5. On April 20, 2010, the Department received a response to the More Information Request Letter. The response included revised plans for a smaller U-shaped docking facility that would still provide 3 slips. The proposal does not reduce the number of slips provided by the docking facility and, therefore does not meet the requirements of Rule Env-Wt 402.21.
6. The Applicant maintains in the response that the proposal meets Rule Env-Wt 402.21 in that the proposed seasonal pier would be less impacting than a permanent pier that the Applicant alleges could be permitted on the frontage.
7. There is no evidence in the file that the location of the proposed docking facility would meet the criteria for construction of a permanent pier.
8. The tax map submitted with the application shows that the location of the site as identified by the Applicant on the USGS topographic map submitted is approximately a half mile off from the actual site location.
9. The Applicant did not request a waiver of Rule Env-Wt 402.21.

Rulings in Support of the Decision

1. The property does not have sufficient frontage to approve a new docking structure that would provide 3 slips on the frontage.
2. Any modification of the existing 3-slip, nonconforming docking facility must meet the requirements of Rule Env-Wt 402.21.
3. The proposed modification of the docking facility will not reduce the number of slips provided and therefore the requirements of Rule Env-Wt 402.21 will only be met if the modification of the docking facility would reduce the environmental impact of the

facility. The Applicant maintains that the modified docking facility will be less impacting than one which might, hypothetically, be constructed on the frontage. The modifications proposed will not result in a reduction of the environmental impacts associated with the docking facility that currently exists on the frontage. The project as proposed fails to meet the requirements of Rule Env-Wt 402.21.

2010-00244

BRICKYARD ESTATES HOMEOWNERS ASSOCIATION, MARY GOO

DOVER Tributary To Piscataqua River

Requested Action:

Fill 2,515 sq. ft. of developed upland tidal buffer zone to repair erosion damage, including installation of a 12" x 90' pipe extension and creation of a rip rap forebay outlet for velocity reduction.

Inspection Date: 04/06/2010 by Dori A Wiggin

APPROVE PERMIT:

Fill 2,515 sq. ft. of developed upland tidal buffer zone to repair erosion damage, including installation of a 12" x 90' pipe extension and creation of a rip rap forebay outlet for velocity reduction.

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering dated 11/17/2009, as received by DES on 2/5/2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on tidal wetlands.
4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or matting with non-monofilament matting and pinning on slopes steeper than 3:1.
5. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
6. Silt fencing must be removed once the area is stabilized.
7. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Work shall be done during low flow.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
10. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands.
13. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b), projects within 50 feet of a saltmarsh that do not meet the criteria of Env-Wt 303.02.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The capacity of the existing drainage system was exceeded, resulting in a deep, eroded and unstable ravine cutting through the tidal buffer zone.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. Space constraints, elevational changes, and connection to the existing infrastructure make it difficult to remedy the situation any other way.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application

Evaluation, has been considered in the design of the project. NH Fish and Game Department ("NHFG") reviewed the project for potential impacts to bald eagles, and provided comments to DES. The permit has been conditioned accordingly, specifically, prohibiting removal of trees greater than 8" dbh without further DES and NHGF coordination, and prohibiting use of monofilament netting in any erosion control blanketing used.

5. DES Staff conducted a field inspection of the proposed project on 4/6/2010. Field inspection confirmed the need for the proposal and the limited options available to correct the existing damage.

2010-00263 DAGGETT, ELIZABETH & DAWN BOMBA
SANBORNTON Winnisquam Lake

Requested Action:

Install a 6 ft x 40 ft seasonal dock connected to a 6 ft x 40 ft seasonal dock by a 6 ft x 12 ft seasonal walkway in a "U" shaped configuration on an average of 175 feet of frontage on Lake Winnisquam, in Sanbornton.

Conservation Commission/Staff Comments:

No comments from Con Com by 05/03/2010

APPROVE PERMIT:

Install a 6 ft x 40 ft seasonal dock connected to a 6 ft x 40 ft seasonal dock by a 6 ft x 12 ft seasonal walkway in a "U" shaped configuration on an average of 175 feet of frontage on Lake Winnisquam, in Sanbornton.

With Conditions:

1. All work shall be in accordance with plans by Garrett Bomba dated May 05, 2010, as received by DES on May 06, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. The seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 3 slip docking facility.
2. The applicant has an average of 174 feet of shoreline frontage along Lake Winnisquam.
3. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2010-00363 ROGERS, MICHAEL
TUFTONBORO Lake Winnepesaukee

Requested Action:

Install a 6 ft x 4 ft concrete pad with a 6 ft x 40 ft seasonal dock accessed by a 6 ft x 12 ft seasonal walkway from an existing 6 ft x 40 ft seasonal dock, on an average of 153 ft of frontage on Lake Winnepesaukee, in Tuftonboro.

Conservation Commission/Staff Comments:

Con Com unable to conduct sight inspection.

APPROVE PERMIT:

Install a 6 ft x 4 ft concrete pad with a 6 ft x 40 ft seasonal dock accessed by a 6 ft x 12 ft seasonal walkway from an existing 6 ft x 40 ft seasonal dock, on an average of 153 ft of frontage on Lake Winnepesaukee, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group and Construction Management dated February 02, 2010, as received by DES on February 18, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. All seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
6. The concrete pad shall be located entirely lakeward and above full lake elevation of 504.32.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction or modification of a seasonal dock that exceeds the design and construction criteria discussed at Env-Wt 402.01 for minimum impact docks classified under Env-Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has an average of 153 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
6. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2010-00364 GUSTAFSON, ROBERT & JUDITH
ALTON Lake Winnepesaukee

Requested Action:

Repair an existing 4 ft x 29 ft piling supported dock connected to a 6 ft x 30 ft piling supported dock by a 4 ft x 12 ft 5 in walkway in a "U" shaped configuration, dredge 4.5 cubic yards from 120 sq ft in the center slip on Lake Winnepesaukee, in Alton.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Repair an existing 4 ft x 29 ft piling supported dock connected to a 6 ft x 30 ft piling supported dock by a 4 ft x 12 ft 5 in walkway in a "U" shaped configuration, dredge 4.5 cubic yards from 120 sq ft in the center slip on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated February 11, 2010, as received by DES on February 18, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain

until the area is stabilized.

7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of no more than 20 cubic yards of material from public waters.
2. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
3. The applicant has an average of 100 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII.

2010-00365

REID, MARTIN & CAROL

MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Install a seasonal boatlift with a 14 ft x 30 ft seasonal canopy adjacent to a non-conforming docking structure, on Lake Winnepesaukee, in Moultonborough.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Install a seasonal boatlift with a 14 ft x 30 ft seasonal canopy adjacent to a non-conforming docking structure, on Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group and Construction Management dated December 17, 2009, as received by DES on February 18, 2010.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
5. The canopy shall not exceed 20 in elevation above full lake elevation of 504.32.
6. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
7. The seasonal boatlift shall be removed for the non-boating season.
8. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the

Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), modification of an existing docking structure.

2010-00367 YOUNGBLOOD REALTY TRUST II
ALTON Lake Winnepesaukee

Requested Action:

Applicant requests after-the-fact approval of one permanent boatlift located in the center slip, one seasonal boatlift with a canopy, and two PWC lifts on a non-conforming "U" shaped permanent docking structure on Lake Winnepesaukee, in Alton.

Conservation Commission/Staff Comments:

Con Com has no objections to proposed work

DENY AFTER THE FACT:

Applicant requests after-the-fact approval of one permanent boatlift located in the center slip, one seasonal boatlift with a canopy, and two PWC lifts on a non-conforming "U" shaped permanent docking structure on Lake Winnepesaukee, in Alton.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department.
2. This project is classified as a minor impact per Rule Env-Wt 303.03(d), construction or modification of a permanent docking facility providing fewer than 5 slips.
3. In accordance with RSA 482-A:3, XIV, (4) "Where no request for additional information is made pursuant to subparagraph (b)" the Department shall "within 75 days from the issuance of the notice of administrative completeness...(A) Approve or deny the application, in whole or in part."
4. In accordance with RSA 482-A:11, II, Administrative Provision, "No permit to dredge or fill shall be granted if it shall infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners."
5. In accordance with Env-Wt 402.21, "Modification of Existing Structures. The department shall not approve any change in the size, location, or configuration of an existing structure unless the applicant demonstrates, and the department finds, that the modification is less environmentally-impacting or provides for fewer boat slips and less construction surface area over public submerged lands than the current configuration."
6. In accordance with RSA 482-A:3, Excavating and Dredging Permits, XIII. (a) "All boat docking facilities shall be at least 20 feet from an abutting property line in non-tidal waters, and at least 20 feet in tidal waters."
7. RSA 482-A:3, XIII, (b) goes on to say "However, any boat secured to such a dock shall not extend beyond the extension of the abutter's property line."
8. Furthermore, RSA 482-A:3, XIII, (c) states "Notwithstanding the provisions of subparagraph (a), boat docking facilities may be located closer than 20 feet from an abutter's property line in non-tidal waters and 20 feet in tidal waters, if the owner of the boat docking facility obtains the written consent of the abutting property owner. Such consent shall be signed by all parties, notarized and filed with the dock application with the department of environmental services."

Findings of Fact

1. On February 18, 2010, the Wetlands Bureau received an application for surface water impacts on the lot identified as Alton tax map 44, lot 50, to request after-the-fact approval of one permanent boatlift located in the center slip, one seasonal boatlift with a canopy, and two PWC lifts on a non-conforming "U" shaped permanent docking structure on Lake Winnepesaukee, in Alton.
2. On February 22, 2010 the Wetlands Bureau received comments from an abutter to the project. The abutter stated that they did not approve of the location of the permanent boatlift extending over the property line or the seasonal boatlift located within the 20 foot

setback to the extension of that abutter's property line.

3. Prior Wetlands File #1998-1893 was approved to repair a "U" shaped docking structure located 45 feet from the northern abutting property line on November 06, 1998. This plan does not indicate permanent or seasonal boatlifts on the frontage nor any seasonal docking structure on the frontage.
4. Wetlands File #2006-1073 was a Permit by Notification to repair the existing "U" shaped docking structure, the information submitted with the application do not indicate the presence of permanent or seasonal boatlifts, or the seasonal docking structure.
5. Shoreland File #2009-1566 was a Shoreland Impact Permit to impact 10,574 sq ft for construction a residential dwelling and associated. This application included a stamped survey of the property indicating that a seasonal docking structure was located on the southern part of the frontage in addition to the permanent "U" shaped docking structure. The survey also showed that the "U" shaped docking structure extends over the northern property line. The photographs submitted also indicated a seasonal boatlift with a seasonal canopy and sections of a seasonal dock located on the shore.
6. The plans and photographs submitted in support of the pending wetlands application did not include a seasonal docking structure on the frontage.
7. The photographs submitted in support of this application indicate a seasonal boatlift with a seasonal canopy. This canopy was not included on the plans submitted in the application.
8. The plans submitted indicate the seasonal boatlift location is within the abutter's 20 ft setback.
9. The plans submitted indicate the permanent boatlift location crosses the extension of the property line and is located partially in front of the abutter's property.
10. The addition of a permanent boatlift to the center slip would be a modification of the non-conforming docking structure.
11. The application did not include abutter permission for the structures located within the abutter's 20 ft setback or extending over the property line.

Rulings in Support of the Decision

1. The proposal to retain a permanent boatlift in an existing non-conforming docking structure does not meet the requirements of Env-Wt 402.21, therefore the application is denied.
2. The proposal to retain a permanent boatlift which extends over the property line and retain a seasonal boatlift within the abutters 20 ft setback would infringe on the property rights of the abutter in accordance with RSA 482-A:11, therefore the application is denied.
3. The abutter did not provide abutter permission pursuant to RSA 482-A:3 XIII for the location of the seasonal boatlift and canopy within 20 ft setback, therefore the application is denied.
4. The abutter did not provide abutter permission pursuant to RSA 482-A:3 XIII for the location of the permanent boatlift which extends over the extension of the property line, therefore the application is denied.

MINIMUM IMPACT PROJECT

2009-02333 NORTH FENWICK FAMILY LLC, ROBERT VON DOHLEN
PITTSBURG First Connecticut Lake

Requested Action:

Repair 94 linear feet of retaining wall "in kind" on First Connecticut Lake, in Pittsburg.

Conservation Commission/Staff Comments:

No comments from Con Com

LRC submitted comments stating they have no concerns with the wall repair but would like to have the shoreline planted

APPROVE PERMIT:

Repair 94 linear feet of retaining wall "in kind" on First Connecticut Lake, in Pittsburg.

With Conditions:

1. All work shall be in accordance with plans by North Country Septic Design revision dated January 08, 2010, as received by DES on January 20, 2010.
2. Repair shall maintain existing size, location and configuration.
3. Work shall be done during drawdown.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair or replacement of retaining walls that is performed "in the dry".
2. The applicant submitted a letter from TransCanada granting permission for the requested work.

2010-00078 SCANNELL, RYAN & HEATHER BENOIT
MEREDITH Lake Winnepesaukee

Requested Action:

Completely remove an existing 6 ft x 30 ft seasonal pier, construct a 7 ft x 4 ft concrete pad, and install a 6 ft x 70 ft seasonal pier, an seasonal boat lift, and 2 seasonal personal watercraft lifts on an average of 120 ft of frontage on Lake Winnepesaukee in Meredith.

APPROVE PERMIT:

Completely remove an existing 6 ft x 30 ft seasonal pier, construct a 7 ft x 4 ft concrete pad, and install a 6 ft x 70 ft seasonal pier, an seasonal boat lift, and 2 seasonal personal watercraft lifts on an average of 120 ft of frontage on Lake Winnepesaukee in Meredith.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction as revised April 12, 2010 and received by DES on April 20, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. All portions of the pre-existing pier shall be completely removed from the frontage prior to the installation of any new structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. These shall be the only structures on this water frontage and all portions of the docking structure shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), replacement of a 2-slip seasonal pier.
2. The need for the proposed impacts has been demonstrated by the Applicant per Env-Wt 302.01.
3. The Applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The Applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Applicant has provided water depth data supporting the requested pier length.
6. The Applicant has submitted evidence that the relocation of the docking facility will allow for the length of pier necessary to provide 2 slips with less impact to navigation than a 2-slip pier at the current location.

2010-00620 NH FISH & GAME DEPARTMENT
BENNINGTON Tributary To Whittemore Lake

Requested Action:

Confirm emergency authorization issued March 22, 2010, to repair a failed stone retaining wall supporting an existing culvert at Whittemore Lake Dam.

CONFIRM EMERGENCY AUTHORIZATION:

Confirm emergency authorization issued March 22, 2010, to repair a failed stone retaining wall supporting an existing culvert at Whittemore Lake Dam.

With Conditions:

1. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This project is classified as a minimum impact project per Env-Wt 303.04(x), Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall.
2. The project was necessary to prevent damage to Lake Road.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on March 22, 2010.
4. Review of the application submitted pursuant to the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2010-00889 MERRILL ET ALL, JOHN
STRATHAM Tidal Wetland

Requested Action:

Impact a total of 11,050 sq. ft. (including 2,310 sq. ft. of temporary construction impacts) within the embankments and flow channel of a tidal creek for work associated with the replacement of a failed CMP roadway culvert with a 10 ft. dia. HDPE pipe culvert to restore tidal flow and, in addition, remove 7,480 sq. ft. of the invasive plant *Phragmites australis* from the vicinity of the culvert as part of this salt marsh restoration project.

Conservation Commission/Staff Comments:

"... the [Stratham Conservation] Commission has no concerns with the proposed application. The Commission feels that since the culvert is at the site of a restored salt marsh, this project needs to be completed as quickly as possible and we urge you to expedite the application process."

Inspection Date: 03/18/2010 by Frank D Richardson

APPROVE PERMIT:

Impact a total of 11,050 sq. ft. (including 2,310 sq. ft. of temporary construction impacts) within the embankments and flow channel of a tidal creek for work associated with the replacement of a failed CMP roadway culvert with a 10 ft. dia. HDPE pipe culvert to restore tidal flow and, in addition, remove 7,480 sq. ft. of the invasive plant *Phragmites australis* from the vicinity of the culvert as part of this salt marsh restoration project.

With Conditions:

1. All work shall be in accordance with plans by Rockingham County Conservation District dated Apr. 2010, as received by DES on April 28, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
6. There will be NO BAFFLES installed in the new 10 ft. dia. HDPE pipe culvert. The pipe invert shall be buried below the creek bed bottom to allow for rock & sediments to form a contiguous creek bed in the bottom of the pipe.
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
8. Faulty equipment shall be repaired prior to entering jurisdictional areas.
9. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
10. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t), restoration of altered or degraded wetlands provided the project receives financial support and direct supervision of a New Hampshire state agency etc. (subsections 1-4).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2010-01028 HOWARD, PHILLIP/ANNETTE
LEMPSTER Unnamed Stream

COMPLETE NOTIFICATION:
lempster Tax Map 1, Lot# 146

2010-01030 WHIPPLE, RICHARD
ROXBURY Unnamed Stream

COMPLETE NOTIFICATION:

Roxbury Tax Map/Lot# 102/9 & 103/4

2010-01031 CURRIER, RICHARD
SALISBURY Unnamed Stream

COMPLETE NOTIFICATION:

Salisbury Tax Map 239, Lot# 24

2010-01032 MANCHESTER WATER WORKS
MANCHESTER Unnamed Stream

COMPLETE NOTIFICATION:

Manchester Tax Map 888, Lot# 18

2010-01033 MANCHESTER WATER WORKS
AUBURN Unnamed Stream

COMPLETE NOTIFICATION:

Auburn Tax Map 10, Lot# 3

2010-01034 KAATZ, MARILYN
DEERFIELD Unnamed Stream

COMPLETE NOTIFICATION:

Deerfield Tax Map 411, Lot# 7

2010-01039 WORLD FELLOWSHIP CENTER
ALBANY Unnamed Stream

COMPLETE NOTIFICATION:

Albany Tax Map/Lot# 3/46,49 & 5/5,6,17,18

2010-01064 FARR, BRUCE
WEARE Unnamed Stream

COMPLETE NOTIFICATION:

Weare Tax Map 404, Lot# 96

2010-01065 GREEN ACRE WOODLANDS INC
GROTON Unnamed Stream

COMPLETE NOTIFICATION:

Groton Tax Map 9, Lot# 8

2010-01066 LIPFERT JR, FREDERICK & JENNIFER
CORNISH Unnamed Stream

COMPLETE NOTIFICATION:
Cornish Tax Map 4, Lot# 13 & 14

2010-01067 DOLLOFF, KEVIN
GILFORD Unnamed Stream

COMPLETE NOTIFICATION:
Gilford Tax Map 204, Lot# 78

2010-01068 RAVENWOOD REVOC TRUST
GREENFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Greenfield Tax Map 9, Lot# 28

2010-01069 DYER, PATRICIA
PETERBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Peterborough Tax Map 43, 43-001, 43-100

2010-01070 VALENTE, ILIDIO
NEW HAMPTON Unnamed Stream

COMPLETE NOTIFICATION:
New Hampton Tax Map R2, Lot# 6

2010-01073 H & H INVESTMENTS LLC
GILSUM Unnamed Stream

COMPLETE NOTIFICATION:
Gilsum Tax Map 407, Lot# 19, 20, 22

2010-01075 WILLIAMS/CRONIN, ALAN & LUBA/MADELINE
MADISON Unnamed Stream

COMPLETE NOTIFICATION:
Madison Tax Map 221, Lot# 29

2010-01076 VANDERMAST, KENNETH
SANBORNTON Unnamed Stream

COMPLETE NOTIFICATION:
Sanbornton Tax Map 20, Lot# 2-2

2010-01077 TIN MOUNTAIN CONSERVATION CENTER
CONWAY Unnamed Stream

COMPLETE NOTIFICATION:
Conway Tax Map 57, Lot# 11

2010-01109 MARDEN, JAY
NEW BOSTON Unnamed Stream

COMPLETE NOTIFICATION:
New Boston Tax Map 3, Lot# 9

2010-01110 MCGILLICUDDY, CHRISTOPHER
ROCHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Rochester Tax Map/Lot# 234/13 & 248/19

2010-01111 FAIRBANKS, LESTER
ENFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Enfield Tax Map 5, Lot# 15

2010-01112 PHILLIPS EXETER ACADEMY
EXETER Unnamed Stream

COMPLETE NOTIFICATION:
Exeter Tax Map 106, Lot# 71-119

EXPEDITED MINIMUM

2009-02895 WEBER, GERARD
NEW LONDON Pleasant Lake

Requested Action:
Applicant requests permit be amended to allow additional dock length due to water depth.

APPROVE AMENDMENT:
Amend permit to read: Install a 6 ft x 34 ft seasonal pier on an average of 200 ft of frontage on Pleasant Lake in New London.

With Conditions:

1. All work shall be in accordance with plans as received by DES on May 4, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and shall be located at least 10 ft from northerly abutting property line or the imaginary extension of that line into the water as authorized in writing by the affected property owners on November 24, 2009.
4. The seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified a a minimum impact project per Rule Env-Wt 303.04, (a), construction of a seasonal, 2-slip docking facility.
2. The Applicant has submitted dated water depths supporting the need for the additional pier length in accordance with Rule Env-Wt 402.03, Dimensions.

2010-00040 TOWNSEND, DAVID
BRIDGEWATER Unnamed Wetland

Requested Action:

Proposal to dredge and fill 501 sq. ft. of forested wetlands adjacent to Dick Brown Pond Brook for construction of bridge abutments for a full span bridge for access to a single family building lot.

APPROVE PERMIT:

Dredge and fill 501 sq. ft. of forested wetlands adjacent to Dick Brown Pond Brook for construction of bridge abutments for a full span bridge for access to a single family building lot.

With Conditions:

1. All work shall be in accordance with narratives by Schauer Environmental Consultants, LLC, as received by DES on January 11, 2010 and April 9, 2010 and plans by Mccourt Engineering Associates, PLLC, revision date of April 9, 2010, as received by DES on April 9, 2010.
2. Work shall be done during low flow.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or

wetlands. Faulty equipment shall be repaired immediately.

12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not

in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2010-00694 DEASY, BETSY
NEWBURY Lake Sunapee

Requested Action:

Repair an existing 7 ft 2 in x 61 ft 8 in dock with a 14 ft x 10 ft section at the lakeward end in a "L" shaped configuration, supported by a two 6 ft x 6 ft cribs and a 9 ft x 9 ft crib on Lake Sunapee, Newbury.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 7 ft 2 in x 61 ft 8 in dock with a 14 ft x 10 ft section at the lakeward end in a "L" shaped configuration, supported by a two 6 ft x 6 ft cribs and a 9 ft x 9 ft crib on Lake Sunapee, Newbury.

With Conditions:

1. All work shall be in accordance with plans by James Yates dated March 29, 2010, as received by DES on March 29, 2010.

2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.

3. The repairs shall maintain the size, location and configuration of the pre-existing structures.

4. Existing rocks which have fallen shall be used for repair. No Additional Rocks.

5. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.

6. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.

8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.

9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.

10. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2010-00844 GEORGE JR, CLIFFORD
ALTON Lake Winnepesaukee

Requested Action:

Repair a 6 ft by 30 ft piling dock accessed by a 6 ft by 12 ft-2 in walkway adjacent to a 25 ft by 31 ft-10 in dug-in boathouse and on 110 ft of shoreline frontage on Rattlesnake Island, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair a 6 ft by 30 ft piling dock accessed by a 6 ft by 12 ft-2 in walkway adjacent to a 25 ft by 31 ft-10 in dug-in boathouse and on 110 ft of shoreline frontage on Rattlesnake Island, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated April 01, 2010, as received by DES on April 13, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2010-00908 VARNEY REALTY LLC
GILFORD Lake Winnepesaukee

Requested Action:

Repair an existing 12 ft x 36 ft 4 in crib supported docking structure, re-locate an ice cluster and fender piling, on an average of 105 feet of frontage on Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:
Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 12 ft x 36 ft 4 in crib supported docking structure, re-locate an ice cluster and fender piling, on an average of 105 feet of frontage on Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated April 05, 2010, as received by DES on April 19, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures with the exception of re-locating the fender pile and ice cluster.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.
2. The re-locating of the ice cluster and the fender pile do not increase the sq ft of impact or change the footprint of the structure.

2010-00910 RYDER, DOUGLAS & JANET
AMHERST Unnamed Stream Unnamed Wetland

Requested Action:

Dredge and fill 127 square feet of riverine intermittent stream to install a 36-inch by 20-foot HDPE culvert to construct a driveway to a single-family residential dwelling on 0.7 acre.

Conservation Commission/Staff Comments:

The Amherst Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill 127 square feet of riverine intermittent stream to install a 36-inch by 20-foot HDPE culvert to construct a driveway to a single-family residential dwelling on 0.7 acre.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated January 18, 2010 and revised through 3/19/10,

as received by DES on April 19, 2010.

2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Work shall be done during seasonal low flow conditions.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2010-00913 GIROUX LIVING TRUST, ROGER & GAIL
LACONIA Lake Winnepesaukee

Requested Action:

Repair "in kind" two existing 4 ft x 24 ft piling supported docking structures connected in a "U" shaped configuration and replace 4 tie off piles on Lake Winnepesaukee, Laconia.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair "in kind" two existing 4 ft x 24 ft piling supported docking structures connected in a "U" shaped configuration and replace 4 tie off piles on Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated March 30, 2010, as received by DES on April 13, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas

shall be avoided.

9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.
2. The applicant has an average of 240 feet of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The existing docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

GOLD DREDGE

2010-01106 HEBERT, MICHAEL
(ALL TOWNS)

Conservation Commission/Staff Comments:
cc Bath Con Com

2010-01107 GOMEZ, RICHARD
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath Con Com

2010-01108 BILODEAU, RICHARD
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Com

2010-01121 CAREW, MICHAEL
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Com

2010-01122 HIER, RACHEL
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:

cc: Bath Con Com

2010-01123 HIER, EUGENE
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Com

2010-01125 KUPSTAS, RICHARD
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

TRAILS NOTIFICATION

2009-00107 USDA FOREST SERVICE, WHITE MTN NATIONAL FOREST
SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:
Sandwich White Mtn National Forest, Ricker Brook Forest, Guinea Pond Trail Bridge

LAKES-SEASONAL DOCK NOTIF

2010-01080 CHAUVETTE, MICHAEL
ERROL Akers Pond

COMPLETE NOTIFICATION:
Errol tax map U9, lot #39-A Akers Pond

2010-01083 KNIGHT, JEFFREY
TUFTONBORO Lake Winnepesaukee

COMPLETE NOTIFICATION:
Tax map 38 Lot #265 Block 1 Lake Winnepesaukee

2010-01084 LAMBERT, PATRICIA
GILFORD Lake Winnepesaukee

COMPLETE NOTIFICATION:

Town of Gilford, Tax Map 223 Lot 25, Lake Winnepesaukee

2010-01091 VALLIERE, RICHARD
FREEDOM Round Pond

COMPLETE NOTIFICATION:
Tax map 47 Lot #15 Round Pond

2010-01092 MCDEVITT, SEAN
MADISON Silver Lake

COMPLETE NOTIFICATION:
Tax map 128 Lot 31 Silver Lake

ROADWAY MAINTENANCE NOTIF

2010-01100 NH DEPT OF TRANSPORTATION
PELHAM Unnamed Wetland

2010-01101 NH DEPT OF TRANSPORTATION
BATH Unnamed Stream

2010-01102 NH DEPT OF TRANSPORTATION
LEMPSTER Unnamed Stream Unnamed Wetland

2010-01103 NH DEPT OF TRANSPORTATION
SWANZEY Unnamed Stream

2010-01104 NH DEPT OF TRANSPORTATION
LYNDEBOROUGH Unnamed Stream

**2010-01105 NEWBURY, HIGHWAY DEPT TOWN OF
NEWBURY Unnamed Stream**

**2010-01135 NH DEPT OF TRANSPORTATION
MILAN Unnamed Wetland**

PERMIT BY NOTIFICATION

**2010-00097 SANFORD, ROBERT/SHARON
MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2010-00731 POTTER SR, ROBERT
GILMANTON Unnamed Pond**

Requested Action:

PBN proposal for installation of a dry hydrant.

PBN IS COMPLETE:

PBN complete for installation of a dry hydrant.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(w) Excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant.

2010-00732 STEARNS, JONATHAN & SARAH
GILMANTON Varney Brook

Requested Action:

PBN proposal for installation of a dry hydrant.

PBN IS COMPLETE:

PBN complete for installation of a dry hydrant.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(w) Excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant.

2010-00733 WOOD, CHARLES & CONSTANCE
GILMANTON Crystal Lake

Requested Action:

PBN proposal for installation of a dry hydrant.

PBN IS COMPLETE:

PBN complete for installation of a dry hydrant.

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(w) Excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant.
2. The applicant has received a Shoreland Impact Permit (2010-00878).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(w) Excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant.
2. The applicant has received a Shoreland Impact Permit (2010-00879).

2010-00734 HENRY, LEWIS
GILMANTON Unnamed Pond

Requested Action:

PBN proposal for installation of a dry hydrant.

PBN IS COMPLETE:

PBN complete for installation of a dry hydrant.

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(w) Excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(w) Excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant.

2010-00976 DANIEL WEBSTER COUNCIL
GILMANTON Manning Lake

Requested Action:

PBN proposal for installation of a dry hydrant.

PBN IS COMPLETE:

PBN complete for installation of a dry hydrant.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(w) Excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant.
2. The applicant has received a Shoreland Impact Permit (2010-00878).

2010-00977 DANIEL WEBSTER COUNCIL
GILMANTON IRON WORKS Unnamed Pond

Requested Action:

PBN proposal for installation of a dry hydrant.

PBN IS COMPLETE:

PBN complete for installation of a dry hydrant.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(w) Excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant.

2010-01055 GROSS, MARTIN
ALTON Lake Winnepesaukee

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2010-01113 MAXWELL, JEANETTE
WOLFEBORO Lake Winnepesaukee

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

CSPA PERMIT

2009-00387 SKEIST, HELEN
CANAAN Goose Pond

Requested Action:

Impact 2482 sq ft for the purpose of removing an existing single-family dwelling and shed and constructing a two-story single-family dwelling with an attached garage.

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Impact an additional 1,320 sq ft for patio, walkway, stairs, driveway, and future parking area.

Impact 2482 sq ft for the purpose of removing an existing single-family dwelling and shed and constructing a two-story single-family dwelling with an attached garage.

With Conditions:

1. All work shall be in accordance with plans by Helen Skeist dated April 1, 2009 and received by the Department of Environmental Services ("DES") on April 2, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No more than 13.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
8. The project as proposed will leave approximately 1100 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 425 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2010-00102 BEAUREGARD, SUSAN/WILLIAM
SPOFFORD Spofford Lake

Requested Action:

Impact 5,605 sq ft in the removal of an existing home and replace in the exact footprint.

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Replacement house will shift to the north 14 ft from southbound property line and further from reference line. House is 1,760 sq ft and deck is 502 sq ft.

Impact 5,605 sq ft in the removal of an existing home and replace in the exact footprint.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated November 11, 2009 and received by the Department of Environmental Services ("DES") on January 20, 2010.
2. No more than 18% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 13,233 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 6,616 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-00185 NH FISH & GAME DEPARTMENT
RAYMOND Onway Lake

Requested Action:

Impact 9912 sq ft for the construction of a new precast concrete plank boat ramp, regrading and stormwater improvements.

APPROVE PERMIT:

Impact 9912 sq ft for the construction of a new precast concrete plank boat ramp, regrading and stormwater improvements.

With Conditions:

1. All work shall be in accordance with plans by Fay, Spofford & Thorndike, LLC dated April 1, 2010 and received by the Department of Environmental Services ("DES") on April 5, 2010.
2. No more than 59% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately N/A sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,498 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-00566 COBURN, PAMELA
MEREDITH Lake Winnepesaukee

Requested Action:

Impact 1,160 sq ft for the purpose of installing a 15 inch culvert and a 16ft x 10ft paved driveway.

APPROVE PERMIT:

Impact 1,160 sq ft for the purpose of installing a 15 inch culvert and a 16ft x 10ft paved driveway.

With Conditions:

1. All work shall be in accordance with plans by Pamela Coburn dated March 2010 and received by the Department of Environmental Services ("DES") on May 15, 2010.
2. No more than 2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-00636 MCMILLIN, SHARON
FRANKLIN Merrimack River

Requested Action:

Impact +/-12,400 sq ft for the purpose of constructing a wastewater disinfecting building, a subgrade storm water treatment system within existing structure site.

APPROVE PERMIT:

Impact +/-12,400 sq ft for the purpose of constructing a wastewater disinfecting building, a subgrade storm water treatment system within existing structure site.

With Conditions:

1. All work shall be in accordance with plans by Camp Dresser & McKee Inc. dated March 2010 and received by the Department of Environmental Services ("DES") on March 22, 2010.
2. No more than 7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-00666 FRANKLIN, CITY OF
FRANKLIN Pemigewasset River

Requested Action:

Impact 7266 sq.ft. for the purpose of installing two water mains, a water treatment facility.

APPROVE PERMIT:

Impact 7,266 sq ft for the purpose of installing two water mains, a water treatment facility.

With Conditions:

1. All work shall be in accordance with plans by Tata & Howard, Inc. dated March 2010 and received by the Department of Environmental Services ("DES") on March 26, 2010.
2. No more than 3.45% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately N/A sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 26,092 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-00704 HOWLAND, JOHN & JEAN
NEW DURHAM Merrymeeting Lake

Requested Action:

Impact 3,458 sq ft for the purpose of constructing a new garage, foundation and retaining wall.

APPROVE PERMIT:

Impact 3,458 sq ft for the purpose of constructing a new garage, foundation and retaining wall.

With Conditions:

1. All work shall be in accordance with plans submitted by John F. Howland and received by the Department of Environmental Services ("DES") on March 21, 2010.
2. No natural ground cover or native vegetation shall be disturbed between 50 ft and 150 ft of the reference line.
3. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
5. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line in order to remain compliant with RSA 483-B:9, V, (b), (2), (A), (ii).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.

2010-00754 EAKIN, LORRAINE
LACONIA Winnisquam Lake

Requested Action:

Impact 120 sq ft for the purpose of expanding an existing deck.

APPROVE PERMIT:

Impact 120 sq ft for the purpose of expanding an existing deck.

With Conditions:

1. All work shall be in accordance with plans submitted by Randy Eakin and received by the Department of Environmental Services ("DES") on April 5, 2010 and April 26, 2010.
2. No more than 7.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
4. There shall be no impact to natural ground cover or native vegetation within the waterfront or natural woodland buffers associated with this project
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.

2010-00770 JUG HILL LLC, CHARLES P ROBBINS MEMBER
WAKEFIELD Lovell Lake

Requested Action:

Impact 9,830 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures.

APPROVE PERMIT:

Impact 9,830 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures.

With Conditions:

1. All work shall be in accordance with plans by Charles Robbins received by the Department of Environmental Services ("DES") on April 6, 2010 and April 29, 2010.
2. No more than 8.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
4. The project as proposed will leave approximately 12,360 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 12,360 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.

2010-00823 BUCK, NORMAN
NORTHWOOD Northwood Lake

Requested Action:

Impact 3364 sq ft for the purpose of replacing existing damaged house with new structure.

APPROVE PERMIT:

Impact 3364 sq ft for the purpose of replacing existing damaged house with new structure.

With Conditions:

1. All work shall be in accordance with plans by Round Pond Soil Survey dated April 9, 2010 and received by the Department of Environmental Services ("DES") on April 12, 2010.
2. No more than 13.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately N/A sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 600 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-00830 THOMPSON, ELIZABETH
NORTHWOOD Jenness Pond

Requested Action:

Impact 950 sq ft for the purpose of raising structure to install a 4ft frost wall.

APPROVE PERMIT:

Impact 950 sq ft for the purpose of raising structure to install a 4ft frost wall.

With Conditions:

1. All work shall be in accordance with plans by G. R. Spaulding Design Consultants, LLC dated April 2, 2010 and received by the Department of Environmental Services ("DES") on April 12, 2010.
2. No more than 24.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless

additional approval is obtained from DES.

3. The project as proposed will leave approximately N/A sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,705 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-00838 ROCKY POINT LODGE INC, THOMAS WALTHER
NEW LONDON Pleasant Lake

Requested Action:

Impact 1430 sq ft for the purpose of finishing a 280 sq ft deck and 250 sq ft walkway.

APPROVE PERMIT:

Impact 1430 sq ft for the purpose of finishing a 280 sq ft deck and 250 sq ft walkway.

With Conditions:

1. All work shall be in accordance with plans by Pellettieri Associates Inc. dated April 1, 2010 and received by the Department of Environmental Services ("DES") on April 12, 2010.
2. No more than 15.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately N/A sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 19,390 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-00851 DERY, RONALD
SANBORNVILLE Pine River Pond

Requested Action:

Impact 1080 sq ft for the purpose of building garage within existing parking area.

APPROVE PERMIT:

Impact 1080 sq ft for the purpose of building garage within existing parking area.

With Conditions:

1. All work shall be in accordance with plans by Ron Dery dated _March 18, 2010 and received by the Department of Environmental Services ("DES") on April 13, 2010.
2. No more than 60% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately N/A sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,075 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-00872 GREATER BOSTON YMCA
MIRROR LAKE Lake Winnepesaukee

Requested Action:

Impact 5,163 sq ft for the purpose of rebuild and enlarge existing destroyed cabin and install draining system.

APPROVE PERMIT:

Impact 5,163 sq ft for the purpose of rebuild and enlarge existing destroyed cabin and install draining system.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated April 2010 and received by the Department of Environmental Services ("DES") on April 15, 2010.
2. No more than 8.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 11,360 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 13,309 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-00873 ROONEY, FRANCIS
NEW DURHAM Marchs Pond

Requested Action:

Impact 22,938 sq ft for the purpose of constructing new single family home with deck, patio and walkway.

APPROVE PERMIT:

Impact 22,938 sq ft for the purpose of constructing new single family home with deck, patio and walkway.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates, Inc. dated March 2010 and received by the Department of Environmental Services ("DES") on April 16, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 15.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 9,347 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 8,129 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-00874 GRIFFIN-BALES, MARY & B LYNN
SWANZEY Swanzey Lake

Requested Action:

Impact 7,899 sq ft for the purpose of removing existing fire damaged dwelling to replace with new single family home.

APPROVE PERMIT:

Impact 7,899 sq ft for the purpose of removing existing fire damaged dwelling to replace with new single family home.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated March 5, 2010 and received by the Department of Environmental Services ("DES") on April 16, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 14% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 14,794 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 10,133 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-00877 TUCKER, SCOTT
STODDARD Granite Lake

Requested Action:

Impact 140 sq ft for the purpose of constructing 10ft x 14ft deck with granite steps, granite posts and landscaping.

APPROVE PERMIT:

Impact 140 sq ft for the purpose of constructing 10ft x 14ft deck with granite steps, granite posts and landscaping.

With Conditions:

1. All work shall be in accordance with plans by Site Succor Design LLC dated April 12, 2010 and received by the Department of Environmental Services ("DES") on April 19, 2010.
2. No more than 12.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 358 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,413 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-00893 TAYLOR, TIMOTHY
FRANCESTOWN Pleasant Pond

Requested Action:

Impact 200 sq ft for the purpose of constructing a 8ft x 10ft addition and a 10ft x 12ft deck.

APPROVE PERMIT:

Impact 200 sq ft for the purpose of constructing a 8ft x 10ft addition and a 10ft x 12ft deck.

With Conditions:

1. All work shall be in accordance with plans by CKD/Bixby Restorations dated September 1, 2008(revised April 2010) and received by the Department of Environmental Services ("DES") on April 20, 2010.
2. No more than 7.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 30,000 sq ft of the Natural Woodland Buffer beyond the primary building

setback in an unaltered state. At least 18,210 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

CSPA PERMIT W/WAIVER

2009-02747 POMEROY, BEN
MADISON Silver Lake

Requested Action:

Impact 4,500 sq ft for the purpose of redeveloping a site with a nonconforming primary structure.

APPROVE PERMIT:

Impact 4,500 sq ft for the purpose of redeveloping a site with a nonconforming primary structure.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by H. E. Bergeron Engineers, Inc. last revised April 14, 2010 and received by the Department of Environmental Services ("DES") on April 15, 2010 and revised plans dated May 6, 2010 and received by the Department on May 6, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 12.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
5. All disturbed areas and regions of the waterfront buffer formerly covered by impervious materials shall be replanted with natural ground cover as defined in RSA 483-B:4 (X)(b).
6. Upon completion of the proposed project, the submitted planting plan will be implemented to ensure that all natural ground cover plantings have a 100% success rate.
7. The project as proposed will leave approximately 50,220 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 25,610 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to remain compliant with RSA 483-B:9, V, (b), (2).
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The applicant has demonstrated to the Department's satisfaction that there are no newly created lots with less than 150 ft of shoreline frontage within the protected shoreland. Plans received by the Department on April 15, 2010, clearly identify areas of limited common ownership rather than independent lots associated with the existing structures and, therefore, the Department finds the property is not in violation of the standards of RSA 483-B:9 (e)(3).
2. The existing non-conforming structure is located within the 50 ft primary building setback to Silver Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
3. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
4. The applicant has proposed achieve a 20 foot greater setback from the reference line.
5. The applicant has proposed to replant regions of the waterfront buffer formerly comprised of impervious surfaces with natural ground cover.
6. The applicant has proposed to remove an existing privy and install a new NH DES Subsurface System Bureau approved septic system.
7. The applicant has proposed to achieve a greater setback from the reference line, significantly enhance the waterfront buffer and install a new septic system, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-00212 RAMOS, EDILBERTO/FE
CANAAN Canaan Street Lake

Requested Action:

Impact 8,900 sq ft for the purpose of redeveloping a site with a nonconforming primary structure.

APPROVE PERMIT:

Impact 8,900 sq ft for the purpose of redeveloping a site with a nonconforming primary structure.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with revised plans by Erin Darrow of Right Angle Engineering dated May 5, 2010 and received by the Department of Environmental Services ("DES") on May 6, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 17.34% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

4. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. Upon completion of the proposed project, the submitted planting plan will be implemented to ensure that each planting has a 100% success rate.
6. The project as proposed will leave approximately 7,866 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 5,021 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to remain compliant with RSA 483-B:9, V, (b), (2).
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Canaan Street Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to remove impervious surface coverage from the waterfront buffer and increase the setback of the structure from the reference line.
4. The applicant has proposed to install significant stormwater controls consisting of a level spreader and rain garden that will treat stormwater from the residential dwelling.
5. The applicant has installed a new NH DES Subsurface Bureau approved wastewater treatment system with a setback exceeding 150 ft from the reference line.
6. The applicant has proposed to plant additional, native vegetation within the waterfront buffer.
7. The applicant has proposed to install stormwater controls, install a new septic system, significantly enhance the waterfront buffer, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-00238

LUCILLE ST ONGE REVOC TRUST

MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 5,440 sq ft for the purpose of expanding a nonconforming primary structure.

APPROVE PERMIT:

Impact 5,440 sq ft for the purpose of expanding a nonconforming primary structure.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates last revised April 27, 2010, and received by the Department of Environmental Services ("DES") on April 29, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 21.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
5. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. Upon completion of the proposed project, the submitted planting plan will be implemented to ensure that all proposed plantings have a 100% success rate.
7. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to existing native vegetation between 50 feet and 150 feet from the reference line.
8. Upon completion of the proposed project the property owner shall allow 1,970 sq ft of area within the natural woodland buffer to return to an unaltered state.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to remove approximately 25 sq ft of impervious surface within the waterfront buffer of the protected shoreland.
4. The applicant has proposed to allow 1,970 sq ft of altered natural woodland buffer to revert to an unaltered state.
5. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.
6. The applicant has proposed to install stormwater controls, install a new septic system, and reduce the total amount of impervious surface coverage within the waterfront buffer by approximately 263 sq ft, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-00384 LAVATORI, RICHARD
HARRISVILLE Skatutakee Lake

Requested Action:

Impact 144 sq ft for the purpose of expanding an existing deck.

APPROVE PERMIT:

Impact 144 sq ft for the purpose of expanding an existing deck.

With Conditions:

1. All work shall be in accordance with plans submitted by Richard Lavatori and received by the Department of Environmental Services ("DES") on April 28, 2010.
2. No more than impervious area beyond that permitted for the addition of an 18 x 8 sq ft deck and stairway are permitted unless additional approval is obtained from DES.
3. There shall be no impacts to native vegetation within the waterfront or natural woodland buffers associated with this project.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.

2010-00665 VANNAH, PETER
BRISTOL Newfound Lake

Requested Action:

Impact 470 sq ft for the purpose of expanding a nonconforming primary structure.

APPROVE PERMIT:

Impact 470 sq ft for the purpose of expanding a nonconforming primary structure.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

VARIANCE APPROVED: RSA 483-B:9 V(g)(3) is varied to allow an increase in impervious area greater than 20% without having to provide additional vegetation to grid segments that do not meet the required minimum tree and sapling score.

With Conditions:

1. All work shall be in accordance with plans by Peter Vannah and received by the Department of Environmental Services ("DES") on March 25, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and a variance of RSA 483-B:9 V(g)(3) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 21.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
5. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.

6. Upon completion of the proposed project, the proposed planting plan will be implemented to ensure a 100% success rate.
7. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to existing native vegetation between 50 feet and 150 feet from the reference line.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Newfound Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to install significant stormwater controls consisting of a drywell.
4. The applicant has proposed to plant additional native trees and shrubs.
5. The applicant has proposed to install stormwater controls and enhance the natural woodland buffer with native vegetation, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.
6. The applicant or their designated agent hereby requests a variance of RSA 483-B:9 V(g)(3) for the purpose of expanding a residential dwelling that results in an increase in impervious area greater than 20% without having to address grid segments that do not meet the minimum required tree and sapling score.
7. The literal enforcement of the standard would result in an unnecessary hardship as the property owner does not own the property within the waterfront buffer.
8. Granting the variance will not result in the diminution in the value of the surrounding properties.
9. Granting the variance will not be contrary to the spirit to RSA 483-B as the applicant is installing stormwater controls to infiltrate increased stormwater from development.
10. Granting the variance will do substantial justice as the project will provide the same or greater degree protection than those that currently existing by providing sound stormwater management techniques.